



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

MEH:ddj

Docket No: 7674-99

4 April 2000

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

[REDACTED]

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 4 April 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by BUPERS memorandum 1160 PERS 815 of 3 March 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

1160
PERS-815
3 Mar 00

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS
Via: PERS-00ZCB

Subj: BCNR PETITION ICO [REDACTED]

Ref: (a) SNM's DD Form 149 dtd 17 Nov 99
(b) NAVADMIN 132/99
(c) OPNAVINST 1160.5C

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval to petitioner's request.

- Petitioner signed 24 months extension on 2 Sep 1999 after completion of BU "A" school training. Petitioner's EAOS at the time was 14 Sep 1999.

- Reference (b) carried a zone "A" SRB entitlement for the BU rate at the time petitioner completed "A" school training.

- Petitioner requests to cancel the 24 month extension signed on 2 Sep 1999 and effect an SRB eligible reenlistment for the zone "A" entitlement. However, petitioner's paygrade was E3 at the time of completion of BU "A" school training.

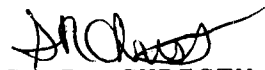
- Petitioner's ADSD was 21 Jul 1995. Per reference (c), HYT for paygrade E3 is 8 years if PNA'd the Navy Wide Advancement Exam (NWE) or 6 years if members did not PNA the exam. Petitioner's record did not reflect a PNA'd status for the exam prior to attending the BU "A" training.

- Petitioner was not eligible to reenlist for the zone "A" SRB entitlement at the completion of the BU "A" school training because an SRB reenlistment for a minimum of 3 years would have exceeded the 6 year HYT restriction by approximately 15 months. Therefore, petitioner was not miscounseled concerning obliserve requirements.

2. In view of the above, recommend petitioner's record remain as is.

Subj: BCNR PETITION ICO [REDACTED]

3. This is an advisory memorandum to reference (a) for use by the Board for Correction of Naval Records (BCNR) only. Enclosure (1) is returned.



S. R. CHRISTY
Head,
Reenlistment Incentives Branch